IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 10.11.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice S.TAMILVANAN

Writ Appeal No.2306 of 2001

V.G.Ramasamy ... Appellant

Vs.

1.The District Revenue Officer,
Erode.

2.The Revenue Divisional Officer,
Gobichettipalayam.

3.The Tahsildar,
Bhavani.

4.Sengottian .. Respondents

Writ appeal filed under Clause 15 of the Letters Patent against the order dated 15.11.2000 made in W.P.No.2427 of 1994 filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for records relating to proceedings in Na.Ka.No. 17867/93/E1, dt. 2.2.94 on the file of the first respondent herein and quash the same.

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For Appellant : Mr.T.Dhanyakumar
For respondents 1 to 3 : Mr.P.Subramanian, Government Advocate

For 4th respondent : Mr.Kaithamalai Kumaran

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JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.)

The writ appeal is directed against the order of the learned single Judge dated 15.11.2000 made in W.P.No.2427 of 1994, in and by which, the learned single Judge, after finding that the subject matter of the relief sought for is pending before the Civil Court,

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has declined to grant any relief and dismissed the writ petition.

2.Though the writ appeal has been filed in the year 2001, even at this juncture i.e., nearly after six years, both the appellant as well as the contesting fourth respondent are not in a position to inform the stage of the civil suit. We are not inclined to keep the writ appeal any longer on our file. Accordingly, the writ appeal is disposed of with the following observation. The subject matter of the dispute relates to grant of patta in respect the land in S.Nos.231/1, 231/3, 231/4A, 231/7A and 232/1 in Vellitiruppur TalukBhavani Taluk, Erode District. It is made clear that if there is an order or decree by a competent Court in respect of the suit property, subject to the same, both the parties are at liberty to approach the third respondent for appropriate orders. If any such application is made by the parties, the third respondent, viz., The Tahsildar, Bhavani, is free to decide the issue on verification of the order of the Civil Court, if any, according to law.

3. With the above observation, the writ appeal is dismissed. No costs.

raa

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1.The District Revenue Officer,
Erode.

2.The Revenue Divisional Officer,
Gobichettipalayam.

3.The Tahsildar,
Bhavani.

1 CC TO THE G.P., SR 54117

1 CC TO MR.T. DHANYAKUMAR, ADVOCATE SR 54507

W.A.No.2306 of 2001
10.11.2006

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